

Message Text

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ACTION L-03

INFO OCT-01 EUR-12 NEA-10 ISO-00 OES-06 EB-07 INR-07

DLOS-06 SAL-01 ACDA-07 ERDA-05 AID-05 CEA-01 CIAE-00

CIEP-01 COME-00 DODE-00 FEAE-00 FPC-01 H-02 INT-05

NSAE-00 NSC-05 OMB-01 PM-04 USIA-06 SAM-01 SP-02

SS-15 STR-04 TRSE-00 /118 W
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R 131031Z JUL 76

FM AMEMBASSY TUNIS

TO SECSTATE WASHDC 3449

INFO AMEMBASSY PARIS

AMEMBASSY ROME

AMEMBASSY TRIPOLI

AMEMBASSY VALLETTA

CINCUSNAVEUR

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CINCUNSAVEUR ALSO FOR POLAD

E.O. 11652:N/A

TAGS: PFOR ENRG TS LY IT

SUBJECT: LIBYAN/TUNISIAN CONTINENTAL SHELF

REF: STATE 158101, TUNIS 4148

1. EMBOFF CALLED ON HABIB LASREG, DIRECTOR OF EXPLORATION, TUNISIAN NATIONAL OIL COMPANY (ETAP), IN ATTEMPT TO CLARIFY TUNISIAN POSITION RE CONTINENTAL SHELF BOUNDARY AND TO OBTAIN TUNISIAN/ITALIAN AGREEMENT REQUESTED REFTEL. ACCORDING LASREG, TUNISIAN/ITALIAN AGREEMENT WAS RATIFIED BY TUNISIA IN 1972 (LAW 72-16, MARCH 10, 1972) AND SIGNED BY GOI, BUT HAS NOT YET BEEN RATIFIED BY ITALIAN PARLIAMENT. IN 1975, TECHNICAL COMMISSION
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ESTABLISHED UNDER AGREEMENT MODIFIED BOUNDRIES ON BASIS

TWO DISTANT ITALIAN ISLANDS (PANTELLARIA AND LAMPEDUSA).
LASREG UNDERTOOK TO SUPPLY EMBASSY WITH COPY OF AGREEMENT.

2. ON TUNISIAN/LIBYAN CONTINENTAL SHELF BOUNDARY,
LASREG REITERATED THAT "UNIONIST" POSITION OF LARG
PREVENTED NEGOTIATIONS FROM REACHING "TECHNICAL" STAGE,
I.E., THAT DIFFERENCES BETWEEN GOT AND LARG OVER CONTINENTAL
SHELF ARE "POLITICAL". HE STATED THAT GOT HAS NEVER
OFFICIALLY RECEIVED LARG POSITION ON BOUNDARY, EITHER
DURING OR OUTSIDE NEGOTIATING SESSIONS.

3. TUNISIAN POSITION ON BOUNDARY IS BASED ON CLAIM
THAT ANY LOW-TIDE EXPOSED BANKS AND ALL ISLANDS WITHIN
12-MILE LIMIT SHOULD BE TAKEN INTO ACCOUNT IN DETERMINING
BOUNDARY POINTS. LOW-TIDE BANKS ARE SHOWN ON MAPS ISSUED
BY U.S. NAVAL OCEANOGRAPHIC OFFICE, EDITION OF JANUARY 19,
1959, REVISED TO JULY 18, 1968, MAP NUMBER BC 3920 ON A
SCALE OF 1 TO 799,700. ETAP ALSO USES MAP PREPARED BY
FRENCH SERVICE HYDROGRAPHIQUE DE LE MARINE, EDITION 1951,
UPDATED TO 1968, MAP NUMBER 4316 (SFAX TO RAS RAS ASHDIR)
ON SCALE 1 TO 342,000. LASREG CLAIMS THAT GENEVA TREATY
AND LOS TREATY BEING NEGOTIATED IN NEW YORK PROVIDES FOR
USING LOW-TIDE EXPOSED BANKS IS DELIMITING CONTINENTAL
SHELF, AND THAT LARG DELEGATION TO LOS CONFERENCE HAS
ACCEPTED THIS PROVISION. ON THIS BASIS, BOUNDARY POINTS
WOULD BE THOSE POINTS WHICH ARE CENTER OF AN ARC T Q T TO HZ TO TUNISIAN
TERRITORY, AND INCLUDING NO LIBYAN TERRITORY.
CONTINENTAL SHELF BOUNDARY IS THUS DELINEATED WITHOUT
REFERENCE TO CLOSED SEAS BUT REQUIRES ACCEPTANCE OF
EXPOSED BANKS AND ISLANDS.

4. ON INTERIOR WATERS, TUNISIAN CLOSES GULFS OF GABES,
HAMMAMET, AND TUNIS. USING PLACE NAMES FROM U.S. NAVAL
OCEANOGRAPHIC OFFICE MAP, GULF OF GABES IS CLOSED BY
DRAWING A LINE FROM BEACON SOUTH OF RAS EL BESH TO RAS
TOURGUENESS ON THE ISLAND OF JERBA, THE LINE THEN CONTINUES
TO RAS MARMOUR AND TO RAS ADJIR ON THE LIBYAN FRONTIER.
GULF OF HAMMAMET IS CLOSED FROM KURIAT ISLANDS TO
KELIBIA, AND GULF OF TUNIS FROM CAP BON TO ZEMBRA ISLAND
TO RAS SIDI ALI EL MEKI. THESE LINES ARE REFERRED TO IN
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GENERAL TERMS IN GOT LAW 73-49 (COPY POUCHED) WHICH
APPEARS IN THE 31 JULY 1973 ISSUE OF THE TUNISIAN OFFICIAL
JOURNAL. LASREG CONTENDS, HOWEVER, THAT ISSUES OF
TERRITORIAL WATERS, INTERIOR WATERS, FISHING RIGHTS, ETC.
ARE INDEPENDENT TO DELINEATION OF CONTINENTAL SHELF.
TUNISIAN CONTINENTAL SHELF CLAIM, AS STATED ABOVE, DOES
NOT RELY ON THESE BAY CLOSING LINES.

5. ETAP AND BUTTES ARE CONTINUING THEIR DISCUSSIONS AS ETAP ATTEMPTS TO CONVINCE BUTTES THAT PROPOSED DRILLING SITE IS WITHIN TUNISIAN WATERS ACCORDING TO "ACCEPTED INTERNATIONAL STANDARDS". LASREG GOES SO FAR AS TO DISMISS LIBYA'S PERMIT AREAS AS GROUNDLESS, BUT ACKNOWLEDGES THAT CONFLICTING CLAIMS (HOWEVER GROUNDLESS) CREATE PROBLEMS FOR DRILLING COMPANIES. HE ADDED THAT ETAP HAD BRIEFED A PROFESSOR JENNINGS OF CAMBRIDGE UNIVERSITY ON GOT POSITION AT REQUEST OF BUTTES.

6. IN DISCUSSION OF MAPS, LASREG REQUESTED THAT EMBASSY ASSIST ETAP TO OBTAIN ADDITIONAL COPIES OF U.S. MAPS OF TUNISIAN OFFSHORE AREAS. WOULD APPRECIATE ADDRESS WHICH CAN BE GIVEN ETAP IN REQUESTING SUBJECT MAPS, AND LIST OF IN-PRINT OR IN-STOCK MAPS IF AVAILABLE.
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